

STATEMENT

At approximately 11:35 on Saturday, 07/28/12, I received a text message from Anthony Manfredi, the Maintenance Control Manager for Avantair Inc., asking me to contact him as soon as possible. I called and spoke with Mr. Manfredi on his cell phone, and he informed me that one of their (Avantair) aircraft, N146SL, had landed at the Henderson (KHND), and the crew was reporting that the "LH elevator [was] missing upon post-flight". He instructed me to head out to the aircraft, and get some pictures of the damage, while performing an initial evaluation of the aircraft.

At approximately 12:15L on Saturday, My associate, Chris Kenyon and myself had arrived at the aircraft in Hangar E-140 at KHND. By 13:00L, we had accomplished our initial evaluation of the aircraft, and begin reporting to Mr. Manfredi, as to our findings. It was apparent to both of us, that the remaining bolts on the RH elevator were also coming loose, thus leading us to believe that the reason for the LH elevator departing in-flight, was due to loose nuts on the hinge mount hardware. In addition to verbally informing Mr. Manfredi of our findings, we began to forward pictures for his review. Two pictures of the existing bolts, and loose nuts were taken, one was sent via SMS message to Mr. Manfredi's cell phone (Image #1 Below). He informed me that his phone would not open the picture, and asked if I would email it to his Avantair address, which I did (Image #2 Below). I then took a series of additional high resolution photos of the entire horizontal section to include the remainder of the LH elevator mount, and existing RH elevator mount hardware. Multiple attempts to wirelessly email the photos were for the most part unsuccessful as the @Avantair mail server would not allow for files over 9 megabytes; however some images were able to pass along to Mr. Manfredi's Avantair email. The decision was made to return to the office, and upload the pictures on a high speed connection, as we did. Prior to departing the aircraft, I was asked to tighten the remaining bolts on the RH side. I refused, insisting that the aircraft should be in quarantine, and I would need further instructions from the Director of Maintenance. We were then instructed to remove the tail access panels to take pictures of the internal damage associated with the torque tube connection. We then removed the two wrap-around panels and the stinger from the tail. With the access provided, we photo documented the additional damage to the torque tube connection, and associated equipment. I informed Mr. Manfredi of the additional damage and informed him that the additional photos would be sent once we reached the office and high speed connection. I was then asked, by Mr. Manfredi, to work with airport operations, and inspect the runway, and overrun area for the missing elevator. With the assistance of the FBO line-crew, we accomplished the visual runway inspection, and did not find any parts missing from the aircraft. This information was reported back to Mr. Manfredi.

At 14:29L, I received a phone call from the Director of Maintenance of Avantair Inc, Mr. David Esteves. I informed him of our findings, regarding the loose Elevator mount hardware. He then asked if I had physically attempted to tighten the hardware; I informed him that I had not, and we're assuming the hardware was loose, purely by visual inspection. It was at that time that he asked us to attempt a torque check of the RH Elevator Mount nuts, and estimate their tightness, via drag torque. Both nuts were able to be moved easily with a finger. I then called and informed him, and followed up the conversation with a SMS phone message, to Mr. Esteves' cell phone, including a clear picture of the RH INBD Elevator mount hardware (Image #2 Below), and verbiage reading "*Nuts are finger tight*". We then returned to our office, and proceeded to send additional pictures to Mr. Manfredi. Being that the @Avantair server would not allow

large attachments, I requested Mr. Manfredi's personal email account. I then sent three emails to his Gmail account at 17:30L; the first was a small PDF with a few pictures, the second included 26 reduced size pictures, and the third was a PDF file with the same pictures compressed into a scaled PDF document. At 17:50, Mr. Manfredi sent me a text stating that he had received the pictures, and thanked us for our assistance. We received no further contact on Saturday or Sunday.

On Monday at 05:51L, I received a txt message from Dave Esteves, asking me to call ASAP. Physically asleep, I did not receive this message until I was awakened by a phone call from Mr. Esteves at 06:55L. Mr. Esteves asked me to remove the RH Elevator and immediately ship the bolts to his attention at their address in Clearwater, FL.

Mr. Esteves also asked me to apply power to the aircraft for 30-45 minutes. In addition to the request to remove the Elevator and apply power, he instructed me to inform anyone asking, that the hardware had already been shipped.

We quickly dispatched to the aircraft at 07:20L and removed the RH Elevator. We did not power up or apply external power to the aircraft. We were under the impression that Avantair was working in coordination with their FSDO in Florida, and were requesting the bolts to investigate a material failure. Having provided them, previously, with detailed pictures, we assumed, that all investigating parties (Avantair, FAA, Piaggio America) were informed of the loose hardware we had found on the existing RH Elevator on Saturday.

It wasn't until later, Monday morning, that I received a call from the V.P. of Maintenance at Avantair, Mr. Jim Wazouski (spelling?), telling me that I was not contracted by Avantair to perform any form of investigation, nor was I to provide my opinion of the hardware or it's loose installation to anyone, as it would complicate the ongoing investigation currently underway in FL and NV. I then departed the aircraft at approximately 10:15L.

At approximately 11:00L we returned to our office. At 11:17L, I first spoke with Mr. Jim Rue of Avantair. Mr. Rue, told me that he was flying to Las Vegas, and would arrive at 18:00L. It was at that time I informed Mr. Rue that I was in the process of shipping the Bolts, Fedex Overnight, to Mr. Manfredi. I also informed him that with the bolts, in the Fedex envelope, I was including my original Flash camera card with all of the high resolution photos. The hardware and flash card, were placed in two individual Zip-Lock bags, and included in the shipping envelope. (Sent Fedex Overnight P1, Tracking 8011 1059 9858, See Picture #3)

At approximately 13:30L, while at the office, I received a phone call from the Las Vegas FSDO, Inspector Gary Rutger. Our short phone conversation, consisted mostly as to our timeline over the weekend, and who at Avantair was directing our involvement.

At 1535L, on Monday, I received my last call from Dave Esteves. In this phone call he informed me that the NTSB Investigator had called him, and was requesting that the Cockpit Voice Recorder be removed from N146SL. He again asked me if I had been able to put external power on the aircraft. Confused by his request, I told him we had not, and asked why we needed to run external power for 30-45 minutes. He then told me it would erase the CVR. I again asked him to clarify, "you want me to wipe the CVR?", and he replied "Yes". I told him, I am unwilling to comply, and that he could have Mr. Rue remove the CVR upon his arrival in Las Vegas at 18:00L. Soon after, I received a call from the NTSB inspector, Mr. Van McKenny IV, also asking me to

remove the CVR, I informed him that I was too busy with other work, and would not be able to get out to the aircraft, and remove the CVR. I also informed Mr. McKenny, that Avantair had one of their own managers arriving into town at 18:00L, and maybe he would be able to assist with the CVR removal.

At 19:00L on Monday, I received a call from Jim Rue that he had arrived at KLAS. I traveled to KHND and met him at the aircraft. Once we met, I informed him that both the NTSB, and Avantair wanted the CVR removed, and that he should call Dave Esteves. I also told him that Dave Esteves had requested that I wipe the CVR prior to removing it, and I had told him that I would not comply, nor would I remove it. I stayed on-sight with Mr. Rue for approximately one hour while he spoke on the phone, and took pictures.

Tuesday morning, July 31, I was called by Jim Rue with Avantair Inc, who was now on-site with the aircraft in HND, and he informed me that Mr. McKinney IV, the NTSB Investigator, would like to speak with me. I drove to HND, and met with Mr. Van McKenny IV. We conducted our interview in the office provided at the hangar. In addition to the two of us, Jim Rue from Avantair inc, and Mr. Duncan from Piaggio America were also present. Our meeting lasted five minutes.

Tuesday at 1545L, I received a voice mail from Mr. Rue. I returned his call at 1600L. Jim informed me that he had spoke with the folks in Clearwater, and no mention has been made of the photos I sent.

Wednesday at 11:07L, I received a voicemail from Mr. Rue asking that I give him a call. I proceeded to text him, and inform him that due to a conflict in my schedule, I was not going to be able to assist with the repair of N146SL. He returned my txt asking if I could assist with just pulling the bearing the NTSB had requested. I in turn dispatched an another technician to assist with the bearing pull.



Leslie C. Kenyon

08/14/2012

//Attached are Photos, Emails, and TXT documents



Image #1, RH INBD Mount (Phone Camera)



Image #2, RH INBD Mount (Phone Camera)

FedEx NEW Package
Express[®] US Airbill

Avanti Elevator Parts & Pictures
0200

Sender's Copy

1 From: **Phone print and name last**
Date: **7/29/12**
Sender's Name: **LES "Lefty" Kayan**
Company: **Classic Challenger**
Address: **[Redacted]**
City: **Las Vegas** State: **NV** ZIP: **89169**

2 Your Internal Billing Reference: **N146SL-ELE**

3 To: **DAVE ESTEVES**
Company: **AVANTAIR INC.**
Address: **[Redacted]**
City: **Clearwater** State: **FL** ZIP: **33762**

4 Express Package Service
Weight: **0.00** lbs. **0.00** oz.
Dimensions: **0.00** x **0.00** x **0.00**
Package Type: **0200**

5 Packaging
Box: ☒ Tube: ☐ Mailer: ☐ Other: ☐

6 Special Handling and Delivery Signature Options
Signature Required: ☒ Signature Not Required: ☐ Signature Required: ☐ Signature Not Required: ☐

7 Payment: **01**

8 Easy new Peel-and-Stick airbill. No pouch needed.
Apply airbill directly to your package. See directions on back.

Image #3, Fedex Shipper, (Sent Monday 7/29/12, Hardware and Picture Card)



RH Inboard Mount 1 (Sat, 7/28/12, at 1300L)



RH Outboard Mount 1 (Sat, 7/28/12, at 1300L)



RH Inboard Mount 1 (Sat, 7/28/12, at 1300L)



RH Outboard Mount 1 (Sat, 7/28/12, at 1300L)



RH Outboard Mount 2 (Sat, 7/28/12, at 1300L)



RH Outboard Mount 3 (Sat, 7/28/12, at 1300L)



RH Outboard Mount 4 (Sat, 7/28/12, at 1300L)



Tail Section 1 (Sat, 7/28/12, at 1300L)



Tail Section 2 (Sat, 7/28/12, at 1300L)



Tail Section 3 (Sat, 7/28/12, at 1300L)



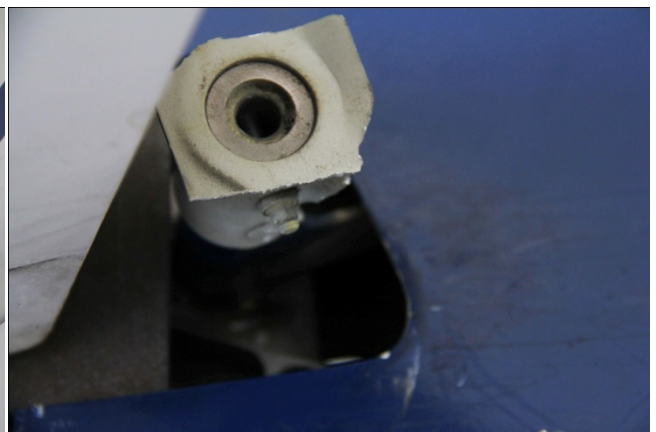
LH INBD Mount (Sat, 7/28/12, at 1300L)



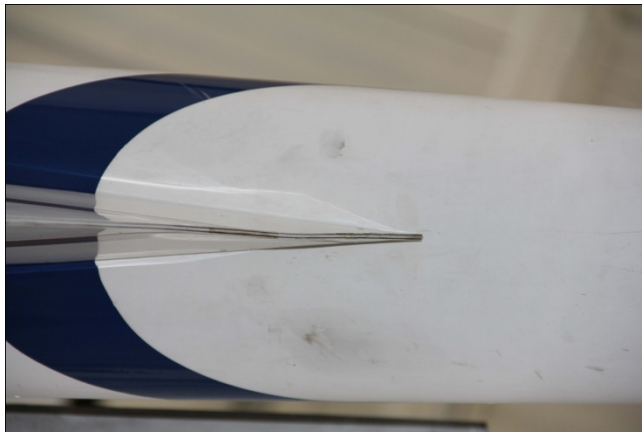
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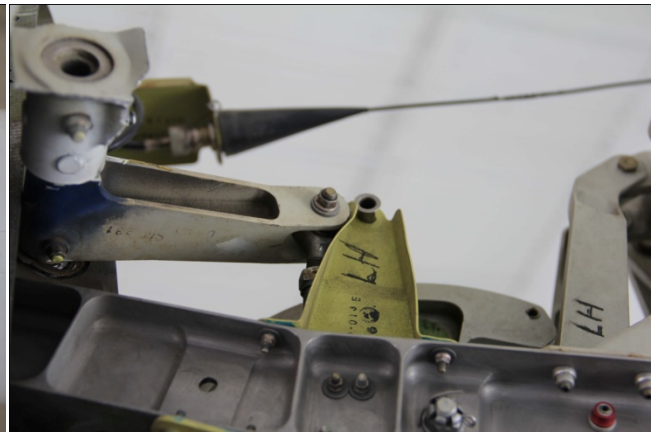
LH Torque Tube Mount 1 (Sat, 7/28/12, at 1300L)



LH Torque Tube Mount 2 (Sat, 7/28/12, at 1300L)



Rudder Dent (Sat, 7/28/12, at 1300L)



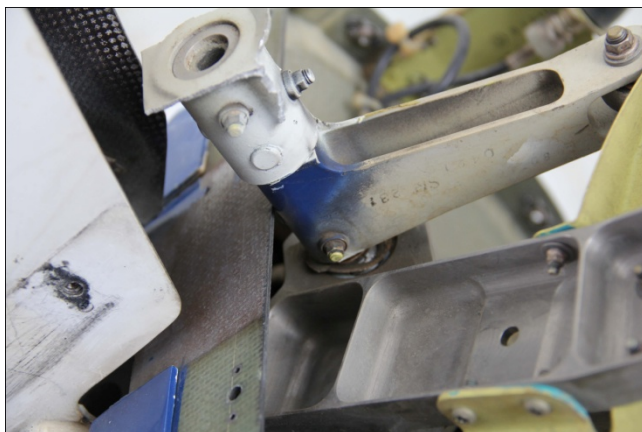
Balance Spring Linkage 1 (Sat, 7/28/12, at 1430L)



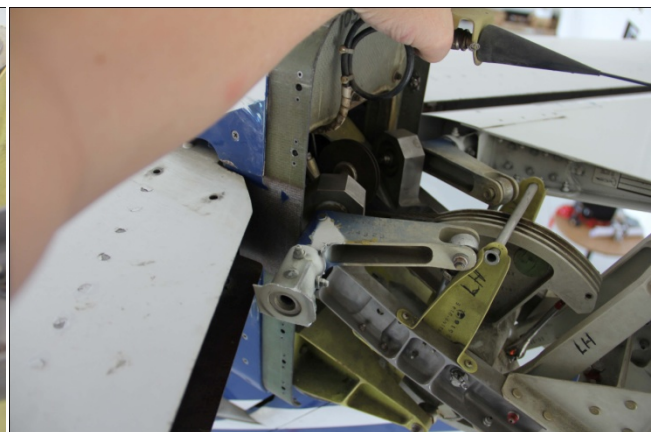
Balance Spring Linkage 2 (Sat, 7/28/12, at 1430L)



Balance Spring Linkage 3 (Sat, 7/28/12, at 1430L)



Balance Spring Linkage 4 (Sat, 7/28/12, at 1430L)



Balance Spring Linkage 5 (Sat, 7/28/12, at 1430L)

IMAGE #1-->

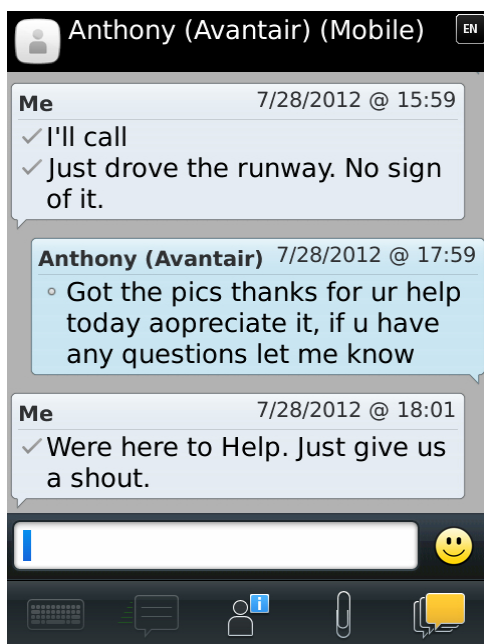
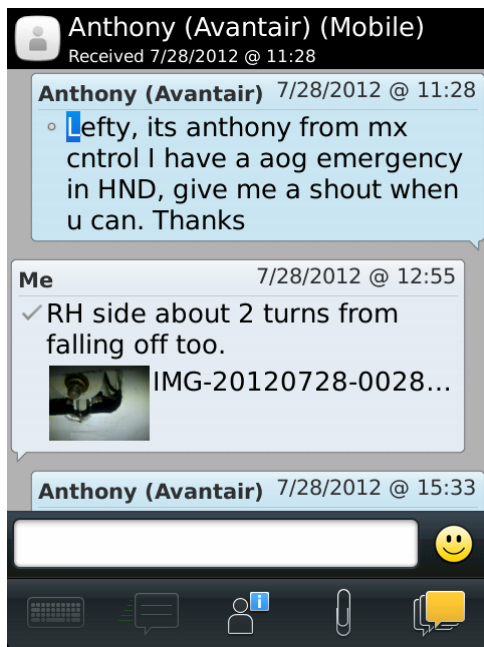
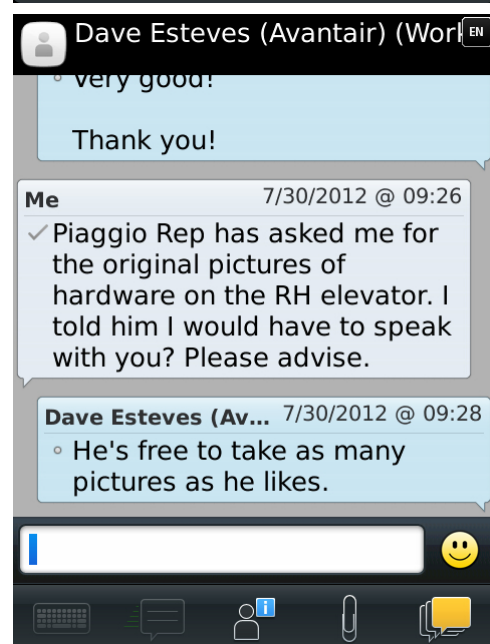
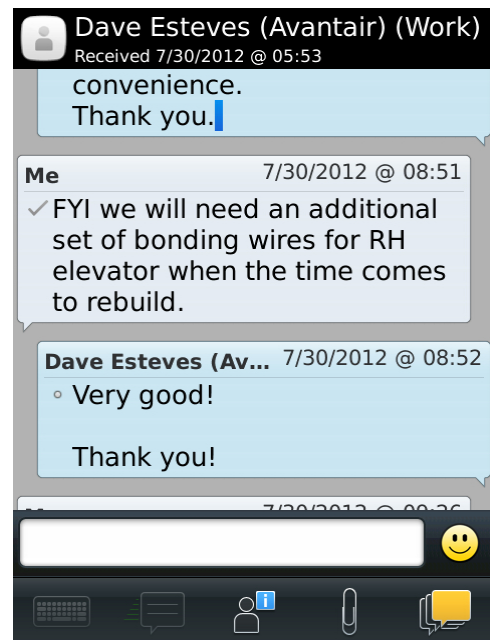
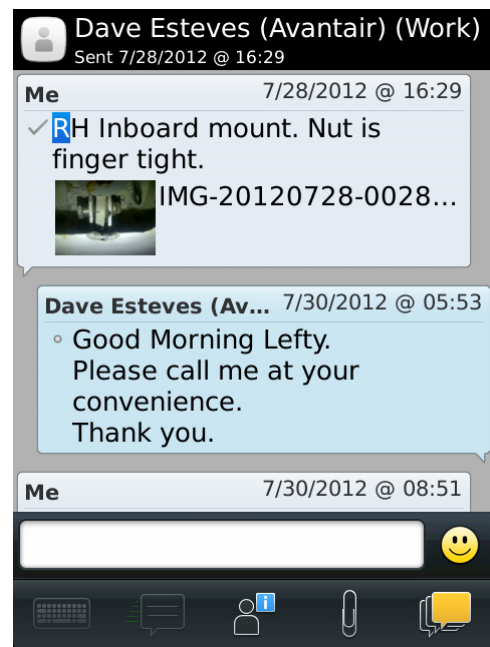


IMAGE #2 --->



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N143SL 1

FROM: Lefty


Td

Saturday, July 28, 2012 1:11 PM

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RH INBD elevator mount.
Sent via BlackBerry by AT&T

1 Attached file | 887KB


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Better pic  1

FROM: Lefty


TO: 


Saturday, July 28, 2012 1:13 PM



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RH inbd mount
Sent via BlackBerry by AT&T

 1 Attached file | 974KB



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2

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FROM: Lefty Kenyon

TO: Anthony Manfredi (Avant MOCC)

Saturday, July 28, 2012 1:38 PM

Anthony,

As you can see in the pictures, the problem seems to be the installation of the Elevator. The attach hardware looks to me to be simple machine nuts and there also seems to be a significant amount of washers as depicted by the, still intact, installation of the RH outboard elevator mount.

I Can only send two at a time due to size.

Lefty

2 Attached files | 9.5MB

[N146SL_RH](#)[N146SL_RH](#)

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N146SL_Pics 2 3

FROM: Lefty Kenyon

TO: Anthony Manfredi (Avant MOCC)

Saturday, July 28, 2012 1:46 PM

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Subject: Undeliverable: N146SL_Pics 2

From: MAILER-DAEMON@MAILER-DAEMON (MAILER-DAEMON@MAILER-DAEMON)

To: [REDACTED]

Date: Saturday, July 28, 2012 1:48 PM

This message wasn't delivered to anyone because it's too large. The limit is 10 MB. This message is 20 MB.

Anthony Manfredi (Avant MOCC) [REDACTED] <mailto:[REDACTED]>

mail.avantair.com gave this error:
SMTPSEND.OverAdvertisedSize; message size exceeds fixed maximum size

This message is larger than the size limit for messages. Please make it smaller and try sending it again.

Note: In Response to
my "Pics 2" E-mail.
Demon Mail received
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Server as attachments
were too large. LCK

Diagnostic information for administrators:

Generating server: bigfish.com

[REDACTED]
mail.avantair.com #550 5.3.4 SMTPSEND.OverAdvertisedSize; message size exceeds fixed maximum size ##

Original message headers:

Received: from mail83-va3-R.bigfish.com (10.7.14.242) by
VA3EHSOBE002.bigfish.com (10.7.40.22) with Microsoft SMTP Server id
14.1.225.23; Sat, 28 Jul 2012 20:47:59 +0000
Received: from mail83-va3 (localhost [127.0.0.1]) by mail83-va3-R.bigfish.com
(Postfix) with ESMTP id 5819D1E01D6 for
[REDACTED].FOPE.CONNECTOR.OVERRIDE>; Sat, 28 Jul 2012 20:47:58
+0000 (UTC)
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X-SpamScore: 3
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X-Forefront-Antispam-Report-Untrusted: CIP:98.138.88.235;KIP:(null);UIP:(null);IPV:NLI;H:omp
1035.mail.ne1.yahoo.com;RD:omp1035.mail.ne1.yahoo.com;EFVD:NLI
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(UTC)

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Received: from CH1PRD0802HT002.namprd08.prod.outlook.com (157.55.61.13) by VA3EHSMHS009.bigfish.com (10.7.99.19) with Microsoft SMTP Server (TLS) id 14.1.225.23; Sat, 28 Jul 2012 20:47:34 +0000

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X-CustomSpam: This message was filtered by custom spam filter option - From SPF none

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Received: (qmail 10110 invoked by uid 1000); 28 Jul 2012 20:46:41 -0000

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Received: from [166.183.48.4] by web120301.mail.ne1.yahoo.com via HTTP; Sat, 28 Jul 2012 13:46:29 PDT

X-Mailer: YahooMailWebService/0.8.120.356233

Message-ID: <1343508388.41211.YahooMailNeo@web120301.mail.ne1.yahoo.com>

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2

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TO: Anthony Manfredi (Avant MOCC)

Saturday, July 28, 2012 1:54 PM

2 Attached files | 9.2MB

N146SL_RH

N146SL_RH

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FROM: Lefty Kenyon

TO: Anthony Manfredi (Avant MOCC)

Saturday, July 28, 2012 1:55 PM

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To: Anthony Manfredi (Avant MOCC)

Sent: Saturday, July 28, 2012 1:46 PM

Subject: N146SL_Pics 2

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FROM: Lefty Kenyon

TO: Anthony Manfredi (Avant MOCC)


Saturday, July 28, 2012 2:11 PM


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N146SL1


FROM: Lefty Kenyon

TO: [REDACTED]

Saturday, July 28, 2012 2:24 PM

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FROM: Lefty Kenyon


TO: anthony (avantair Private)


Saturday, July 28, 2012 5:28 PM

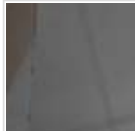
Here are the pictures. I have reduced their size to allow for email, but I can send you individual high resolution copy's of the one you want.


Lefty


26 Attached files | 14.0MB


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N146SL_RH

N146SL_Ru

N146SL_Lin

N146SL_LH

N146SL_1.jp

N146SI


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dad

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kenway

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Resume NIL

Resumes

N146SL_PICS_IN_PDF 

FROM: Lefty Kenyon

TO: anthony (avantair Private)

Saturday, July 28, 2012 5:55 PM


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See attached for N146SL Pictures converted into PDF.

Regards,

Lefty

1 Attached file | 11.1MB


N146SL_Ele


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Record of Conversation

Tuesday, August 07, 2012
11:00 AM

Interview:	Leslie (Lefty) C. Kenyon
Phone:	[REDACTED]
Location:	NTSB Office, Gardena, CA

Narrative:

The following is a summary of conversation with Mr Lefty Kenyon, the A&P IA mechanic who initially inspected and worked on the elevator of the Piaggio P180, N146SL. With him during the discussion was his brother Christopher Kenyon, who works with him but is not a certified A&P but was present during the events of Sunday and Monday (July 29-30), and Mr Steven Graff, Mr Kenyon's council.

Saturday, 28 July, 2012

Mr Kenyon started by saying that his phone had been off Saturday (July 28) morning. When he turned it on, around 1135 there was a voice mail from Anthony Malfredi (Avantair Maintenance Control Manager). He called Mr Malfredi back immediately, and was told that there was an airplane at Henderson that was missing its elevator. Mr Malfredi asked him to take a preliminary look and take photos. Mr Kenyon and his brother headed to Henderson, arriving around 1230. He looked at the tail of N146SL and took photos. It was obvious that the left elevator was gone, and the right hand elevator bolts were loose. He called Mr Malfredi and told him that the bolts (on the right elevator) were finger loose. The right hand elevator nuts were loose, with no threads extending past the nut. He send Mr Malfredi photos (2 small pictures) via his cell phone and verbally reported his findings. Mr Malfredi asked if he had tightened the bolts and he replied that he had not, that he percieved that the airplane was in quarantine. He would need authorization from the Director of Maintenance to perform that task. He was done with his inspection and photography by 1300

Between 1300-1430 he performed a runway inspection looking for the missing elevator and/or hardware. Before he left, around 1429, Mr Dave Esteves (Avantair Maintenance) called ask him to torque check the bolts on the right elevator. Mr Kenyon complied and said that the nuts practically fell off in his hand, less than 2 threads holding it on to the bolt. He sent a cellphone photo with the text words "finger loose."

Mr Kenyon went to his office in order to send the rest of the photos he had taken. He tried to send 2 versions of the photos, individual photos, and a optimized pdf file with all the photos in one document. He sent the photos to Mr Malfredi. The Avantair email system would not accept such a large email, so Mr Malfredi asked Mr Kenyon to send the files to his personal gmail account. Mr Kenyon resized the photos and sent 12-15 photos and the pdf file to Mr Malfredi's personal email account.

Mr Kenyon did not hear back from Avantair for the rest of the day nor on Sunday.

Monday, 30 July, 2012

Mr Kenyon was up at 0655 on Monday and noticed that Mr Dave Esteves and sent him a text at 0551. Mr Esteves requested that Mr Kenyon removed the hardware on the right elevator as soon as possible and send it to Florida, attention Mr Esteves. Mr Esteves also asked Mr Kenyon to power up the airplane for 30-40 minutes (which he did not do). Mr Esteves told Mr Kenyon (by phone conversation) to tell all concerned that if he was asked about the bolt/nut hardware to reply that the hardware had already been sent out. While Mr Kenyon was en-route to the airport Mr Esteves called again and said that the Piaggio America technical representative was waiting at the airport, and for him to remove the elevator and attaching hardware before he provided the tech rep access to the airplane. At 0851 Mr Kenyon reported to Mr Esteves that the elevator had been removed and that it would need new bonding straps when it was reinstalled. A few minutes later Dave Duncan (Piaggio America Tech Rep) called asking for directions to the hangar where the airplane was parked. (Mr Kenyon implied that once he had reported the elevator removed to Mr Esteves, Mr Esteves then provided Mr Duncan Mr Kenyon's contact number to escort him to the hangar). Mr Duncan drove to Hangar E140 and Mr Kenyon let him in. Inspector Gary Rucker (FAA) stopped by to examine the airplane and met Mr Kenyon, Mr Duncan, and Mr Chris Kenyon (brother). Inspector Rucker said he had a meeting to go to and did not ask many questions. When Mr Duncan asked where the hardware for the right elevator was, Mr Kenyon replied that it had been shipped to Florida (Avantair HQ).

Mr Lefty Kenyon, and Mr Chris Kenyon went the airport café for breakfast between 0930 - 1000. While at breakfast Mr Jim Witkosky (Director of Maintenance) left a message on Mr Kenyon's cell phone, 0945. Mr Kenyon called back and Mr Witkosky informed him that his job was strictly to do the work and not share his opinion, he was not hired to have an opinion. He was not contracted by Avantair to perform any type of investigation. The opinion that the nuts were loose was not to be shared with anyone. Mr Kenyon replied that it was best for him to leave. He gave Mr Duncan a bottle of water, picked up his tools and left the hangar.

At 1117 Mr Jim Rue (Asst Dir of Maintenance) called Mr Kenyon and asked him about the bolts. Mr Kenyon replied that he should look at the photos he sent. Mr Rue looked at the photos on Dave's (Esteves) computer and said that the hardware looked correct but to FedEx the hardware to Florida anyway. Mr Jim Rue was getting ready to leave Florida and head to Henderson.

Mr Kenyon FedEx'd the hardware and his photo memory card (with all photos taken of the tail) at 1230 for overnight delivery. Mr Kenyon assumed that what he was doing was assisting the operator and in coordination with the Certificate Management FSDO in investigating this event.

Between 1300-1300 Inspector Rucker called and asked who authorized the removal of the elevator and he replied that it was Mr Esteves, but Mr Kenyon said that was incorrect, it actually was Mr Malfredi. The Inspector Rucker asked who authorized the commencement of maintenance, and he said it was Mr Esteves.

At 1535 Mr Esteves called Mr Kenyon and said that the NTSB was requesting the CVR, and had he put power on the airplane the day before? Mr Kenyon asked why? Mr Esteves said it would erase the CVR. Mr Kenyon said, you want me to wipe the CVR? Mr Esteves said, Yes. Mr Kenyon then said, I cant help you, you can have Mr Jim Rue removed the CVR. At which point Mr Esteves said that's a good idea.

Mr Kenyon then went back to his office and stayed there until Mr Rue arrived. Around 1900 Mr Rue called requesting directions to Henderson Executive Airport. Mr Kenyon then proceeded to Henderson him self. Mr Kenyon told Mr Rue that Mr Esteves wanted him to erase the CVR, that the NTSB wanted the CVR, and that he was not going to touch the CVR. Mr Rue said that was ridiculous, proceeded to take photos and talked on his cell phone out of ear shot for about an hour.

Tuesday, 31 July, 2012

Tuesday morning Mr Kenyon received a call from Mr Jim Rue that the NTSB Investigator was there and that he wanted to talk with him. Mr Kenyon complied and arrived at the hangar at 0930 and met with the NTSB Investigator.

At 1545 Mr Rue called and left a message. Mr Kenyon called back at 1600. Mr Rue said that the bolts/hardware had arrived at Avantair and nobody has mentioned the pictures on the SD card.

Van S. McKenny IV
Aerospace Engineer (Field)
Western Pacific Region